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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To protect election workers and polling places.

IN THE HOUSE OF REPRESENTATIVES

Mr. LEVIN of Michigan introduced the following bill; which was referred to
the Committee on _____

A BILL

To protect election workers and polling places.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Election Worker and
5 Polling Place Protection Act”.

6 **SEC. 2. ELECTION WORKER AND POLLING PLACE PROTEC-**
7 **TION.**

8 Section 11 of the Voting Rights Act of 1965 (52
9 U.S.C. 10307) is amended by adding at the end the fol-
10 lowing:

1 “(f)(1) Whoever, whether or not acting under color
2 of law, by force or threat of force, or violence, or threat
3 of harm to any person or property, willfully intimidates
4 or interferes with, or attempts to intimidate or interfere
5 with, the ability of any person or any class of persons to
6 vote or qualify to vote, or to qualify or act as a poll watch-
7 er, or any legally authorized election official, in any pri-
8 mary, special, or general election, or any person who is,
9 or is employed by, an agent, contractor, or vendor of a
10 legally authorized election official assisting in the adminis-
11 tration of any primary, special, or general election, shall
12 be fined not more than \$5,000, or imprisoned not more
13 than one year, or both; and if bodily injury results from
14 the acts committed in violation of this paragraph or if
15 such acts include the use, attempted use, or threatened
16 use of a dangerous weapon, explosives, or fire, shall be
17 fined not more than \$5,000 or imprisoned not more than
18 5 years, or both.

19 “(2) Whoever, whether or not acting under color of
20 law, willfully physically damages or threatens to physically
21 damage any physical property being used as a polling
22 place or tabulation center or other election infrastructure,
23 with the intent to interfere with the administration of an
24 election or the tabulation or certification of votes, shall
25 be fined not more than \$5,000, or imprisoned not more

1 than one year, or both; and if bodily injury results from
2 the acts committed in violation of this paragraph or if
3 such acts include the use, attempted use, or threatened
4 use of a dangerous weapon, explosives, or fire, shall be
5 fined not more than \$5,000 or imprisoned not more than
6 5 years, or both.

7 “(3) For purposes of this subsection, de minimus
8 damage or threats of de minimus damage to physical prop-
9 erty shall not be considered a violation of this subsection.

10 “(4) For purposes of this subsection, the term ‘elec-
11 tion infrastructure’ means any office of an election official,
12 staff, worker, or volunteer or any physical, mechanical, or
13 electrical device, structure, or tangible item used in the
14 process of creating, distributing, voting, returning, count-
15 ing, tabulating, auditing, storing, or other handling of
16 voter registration or ballot information.

17 “(g) No prosecution of any offense described in this
18 subsection may be undertaken by the United States, ex-
19 cept under the certification in writing of the Attorney Gen-
20 eral, or a designee, that—

21 “(1) the State does not have jurisdiction;

22 “(2) the State has requested that the Federal
23 Government assume jurisdiction; or

1 “(3) a prosecution by the United States is in
2 the public interest and necessary to secure substan-
3 tial justice.”.